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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 000047

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SUBJECT: SPECIAL ADVISOR SHORTLEY'S JANUARY 12 MEETING WITH
INSURGENT LEADER GENERAL LAURENT NKUNDA

Classified By: DCM Samuel Brock. Reasons 1.4 (b/d).

¶1. (C) On January 12, Tim Shortley, Senior Adviser for Assistant Secretary Jendayi Frazer for Conflict Resolution met with General Lauren Nkunda at his request and the request of President Kabilas staff. The objectives of the meeting were to understand Nkunda state of mind and readiness for peace in advance of the Peace, Security and Development Conference and to seek his commitment to end the conflict through dialogue and implementation of the U.S. brokered agreement between the GDRC and Nkunda reached in December ¶2007.

The State of Nkunda

¶2. (C) Nkunda arrived for the meeting alone wearing a newly purchased suit. Nkunda,s outlook had matured since his victory in Masisi in early and mid December. Nkunda fully understood the extent of damage that had been inflicted on the FARDC and the political implications that have led to the hastily called Peace, Security and Development Conference. With increased pressure on the government to call for a ceasefire and the opening of the conference, Nkunda,s sights have already moved beyond the peace, security and development conference and were now focused on the make up of the technical commissions that are expected to discuss security and political modalities of disengagement, brassage/DDR and CNDP leadership status. Beyond his own problems, Nkunda was eager to discuss how to solve the problems of North Kivu and at the national level.

¶3. (C) Nkunda suggested that if the government did not allow him to integrate that he was ready to depart Masisi and take up other work. Without saying what he would do, he indicated that he was ready to move on to more political work. However, he refused to discuss exile claiming again that it is against the constitution (per Article 30). Instead he said that he and the CNDP should benefit from Amnesty for insurrection (versus crimes against humanity etc...) and be integrated either into to the army is allowed to move about freely.

Ending the Conflict

¶4. (C) Nkunda repeatedly stressed that he was ready to end the war, saying "the war is a problem of integration that can not be solved militarily and requires a political solution." He warned, however, that if the GDRC restarts the war, that

he will not stop and follow the FARDC all the war back to Goma. Nkunda underscored that he has been trying to protect the cessation of military operations (the undeclared ceasefire) by not responding to FARDC provocations. However, he said that he is engaged daily with PARECO and FDLR around Karuba and is expressed his frustration that the government continues to prosecute the war through its proxies even with the announced cessation of military operations and the conference.

¶5. (C) Looking beyond the possibility of an agreement in the coming days, Nkunda emphasized that he wanted the technical commissions, discussions to begin right away. We serious preparations and a robust effort, Nkunda believed that all modalities could be finalized in a matter of weeks. Nkunda stressed that if the GDRC was serious about the modalities for agreeing to disengagement, brassage/DDR, rehabilitation of rank and amnesty for insurrection as well as other technical military issues, and the meetings were well facilitated, peace could be found very quickly. Nkunda (as well as the GDRC) agree that the redeployment of MONUC to positions inside his lines of control should occur immediately after the conference. The redeployment serves the purpose of undermining his reasons for taking up arms by protecting the populations in Masisi and Rutshuru, ensuring that goods and services continue to flow and that government administration and relief and stabilization support can be provided.

Conclusion

¶6. (C) Nkunda's refusal to discuss exile and the request of amnesty was a result of his military victory in December and

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his good standing presently. However, Nkunda's favorable position to finalize an agreement in the coming days and reach agreement on the modalities of disengagement and disarmament through the technical commission provided an opening if the government chooses to accept. Shortley pressed Nkunda on many points to include potential ICC indictments, UN human rights efforts focused on Nkunda as a result of crimes against humanity or child soldiers, and the publication of the Congolese warrants. Nkunda, however, remained defiant. He demands a formal process to reach an agreement with the government and to finalize modalities to implement the agreement.

¶7. It remains to be seen if the government will directly engage with Nkunda, a precondition for Nkunda to finalize an agreement, or provide the process that is necessary to discuss modalities of implementation for the security and political issues agreed in the plan.

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